

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANYELA SALAZAR, ANEL HERNANDEZ,
ROBERT EMMANUEL EMILIANO, and
CAROLINA PICHARDO,

Plaintiffs,

16 CIVIL 7743 (VB)

-against-

JUDGMENT

203 LENA INC., d/b/a Cocina Taller, and
DARION OLEAGA,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated October 22, 2020, the Court adopts the R&R as the opinion of the Court with the following modifications.

With respect to the \$7,614.00 in damages Magistrate Judge Cott recommends awarding to plaintiff Pichardo, the Court lowers that amount by \$1,500.00 to \$6,114.00. As Magistrate Judge Cott correctly states, employees can recover “\$250 for each workday that a wage statement violation occurs, not to exceed \$5,000.” However, because plaintiff Pichardo worked for a total of 14 days total, she should be awarded only \$3,500 (14 days x \$250) for the wage statement violations, not the maximum \$5,000; Accordingly, plaintiff Pichardo shall be awarded \$16,114.00 plus pre-judgment and post-judgment interest.

With respect to pre-judgment interest, plaintiffs are awarded nine percent pre-judgment interest on the unpaid wages as follows.

- Plaintiff Salazar nine percent interest on \$27,761.62, from July 6, 2025 (the approximate midpoint between Salazar's first and last day of employment), to October 22, 2020 —1,935 days—amounts to \$13,245.72.

- Plaintiff Hernandez: nine percent interest on \$14,208.78, from March 15, 2016

(the approximate midpoint between Hernandez's first and last day of employment), to October 22, 2020 —1,682 days—amounts to \$5,892.95.

- Plaintiff Emiliano: nine percent interest on \$2,245.71, from February 22, 2016

(the approximate midpoint between Emiliano's first and last day of employment), to October 22, 2020 —1,704 days—amounts to \$943.57.

- Plaintiff Pichardo: nine percent interest on \$957, from April 4, 2016, (the

approximate midpoint between Pichardo's first and last day of employment), to October 22, 2020 —1,662 days—amounts to \$392.19.

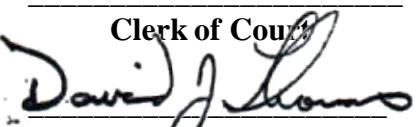
Accordingly, plaintiffs are awarded the following:

Plaintiff	Total Damages ⁶	9% Pre-judgment Interest on Unpaid Wages	Total Award (Total Damages + 9% Pre-judgment Interest on Unpaid Wages)
Salazar	\$67,163.24	\$13,245.72	\$80,408.96
Hernandez	\$38,917.56	\$5,892.95	\$44,810.51
Emiliano	\$11,541.42	\$943.57	\$12,484.99
Pichardo	\$6,114.00	\$392.19	\$6,506.19

Judgment is entered against defendants 203 Lena Inc., d/b/a Cocina Taller and Dario Oleaga in the total amount of \$167,772.15, comprising: (i) \$144,210.65 in damages (including pre-judgment interest), and (ii) \$23,561.50 in attorneys' fees and costs; Plaintiffs are also awarded post-judgment interest on all sums, as calculated under 28 U.S.C. § 1961; accordingly, this case is closed.

Dated: New York, New York
October 23, 2020

RUBY J. KRAJICK

BY: 
Clerk of Court
Deputy Clerk